

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILED

NO. 5:08-CT-3153-FL

JUN 11 2010

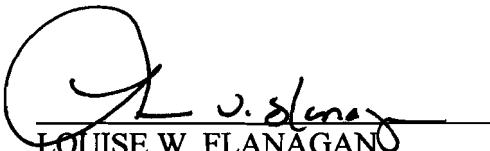
DENNIS P. IAVARONE, CLERK
US DISTRICT COURT, EDNC
BY _____ DEP CLK

CARLTON RAY BARBER, JR.,)
)
Plaintiff,)
)
v.)
)
DETECTIVE TODD HARRIS, et al.,)
)
Defendants.)

ORDER

This matter came before the court on plaintiff Carlton Ray Barber, Jr.'s motion for reconsideration (DE # 17) of this court's frivolity determination. On November 17, 2008, plaintiff brought this action pursuant to 42 U.S.C. § 1983. On March 9, 2009, the court conducted a frivolity review pursuant to 28 U.S.C. § 1915 and dismissed plaintiff's action without prejudice. The Fourth Circuit Court of Appeals thereafter affirmed this court's decision. See Barber v. Harris, 353 F. App'x 814 (4th Cir. 2009) (per curiam) (unpublished). The court has reviewed the matter in its entirety and finds the original frivolity determination by the undersigned appropriate. Therefore, plaintiff's motion for reconsideration is DENIED.

SO ORDERED, this 10th day of June, 2010.


LOUISE W. FLANAGAN
Chief United States District Judge